

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 1/26/2016	(3) CONTACT/PHONE Glenn Marshall, Development Services Division Manager (805) 781-1596	
(4) SUBJECT Request to approve a sole source agreement for professional environmental consulting services with SWCA Environmental Consultants (SWCA) in an amount not to exceed \$143,224 for the Oak Shores Wastewater Treatment Plant Upgrade Project Supplemental Environmental Impact Report (SEIR); and a budget adjustment in the amount of \$143,224 for the corresponding appropriation to Fund Center 20103. District 1.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1. Waive the Board adopted contract for services policy and approve and execute a sole source agreement for professional environmental consulting services agreement with SWCA for preparation of a SEIR for the Oak Shores Wastewater Treatment Plant Upgrade Project in an amount not to exceed \$143,224 (\$130,224 fee estimate for base scope of work and \$13,000 contingency fund); and 2. Authorize the Public Works Director to sign amendments to the Agreement for a contingency amount not to exceed \$13,000; and 3. Authorize a budget adjustment in the amount of \$143,224 to appropriate revenue collected from the property owner to fund a professional services agreement within Fund Center 20103, by 4/5 vote; and 4. Upon execution of the agreement, require the applicant to deposit \$143,224 to reimburse the Department of Public Works for the expenses incurred through the professional services agreement. 			
(6) FUNDING SOURCE(S) Time and material billings to property owner	(7) CURRENT YEAR FINANCIAL IMPACT \$143,224.00	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? No
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) 19001611		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: 1516061 <input checked="" type="checkbox"/> 4/5 Vote Required <input type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: 7/22/2008, #C-3	
(17) ADMINISTRATIVE OFFICE REVIEW David E. Grim			
(18) SUPERVISOR DISTRICT(S) District 1			

Reference: 16JAN26-C-5

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Glenn Marshall, Development Services Division Manager

Kate Ballantyne, Environmental Programs Manager

Mark Hutchinson, Deputy Director of Public Works

DATE: 1/26/2016

SUBJECT: Request to approve a sole source agreement for professional environmental consulting services with SWCA Environmental Consultants (SWCA) in an amount not to exceed \$143,224 for the Oak Shores Wastewater Treatment Plant Upgrade Project Supplemental Environmental Impact Report (SEIR); and a budget adjustment in the amount of \$143,224 for the corresponding appropriation to Fund Center 20103. District 1.

RECOMMENDATION

It is recommended that the Board:

1. Waive the Board adopted contract for services policy and approve and execute a sole source agreement for professional environmental consulting services agreement with SWCA for preparation of a SEIR for the Oak Shores Wastewater Treatment Plant Upgrade Project in an amount not to exceed \$143,224 (\$130,224 fee estimate for base scope of work and \$13,000 contingency fund); and
2. Authorize the Public Works Director to sign amendments to the Agreement for a contingency amount not to exceed \$13,000; and
3. Authorize a budget adjustment in the amount of \$143,224 to appropriate revenue collected from the property owner to fund a professional services agreement within Fund Center 20103, by 4/5 vote; and
4. Upon execution of the agreement, require the applicant to deposit \$143,224 to reimburse the Department of Public Works for the expenses incurred through the professional services agreement.

DISCUSSION

The County of San Luis Obispo provides wastewater collection, treatment, and disposal services to the community of Oak Shores through County Service Area No. 7A (CSA-7A). In 1984, a tentative tract map for Oak Shores II (Tract 1291) was approved, and an Environmental Impact Report (EIR) was certified by the County Board of Supervisors. The tentative tract map expired, but a revised tentative tract map for Oak Shores II (Tract 2162) was approved, and a Supplemental EIR (SEIR)

was certified in 1996. The development included six “phases.” CSA-7A committed to provide wastewater service to Phase I (60 parcels), and the Board of Supervisors approved the Phase I final map.

Phases II through VI include an additional 285 parcels. Prior to the recordation of the final map for the Phase II through VI lots, the property owner must obtain a will-serve commitment from CSA-7A. In 2008, the Board of Supervisors certified an EIR for a project that would have provided the wastewater capacity required to serve the parcels, however the project never moved forward due to initiation of litigation by a neighboring property owner.

A series of time extensions for the tentative tract map were approved by the Board of Supervisors resulting in the current estimated expiration date of September 24, 2016. During 2014 and 2015, the Phase II through VI property owner developed an alternative project for providing the required wastewater capacity that appears to address regulatory requirements and the concerns of the neighboring landowner. The project includes additional effluent spray fields located approximately two miles to the northeast of the existing spray fields; however, it has been determined that a SEIR must be completed prior to the project moving forward.

Sole Source Recommendation for SWCA to Prepare an SEIR for the Project

The County’s Procedural Memorandum AD-16 (Revised), dated November 7, 2011 states that Sole Source contracts are appropriate when, “...*The firm provides a unique subject matter specialty that is required for the services sought*” and “*the firm has unique information and staffing connected to the services sought which make that particular firm a clear choice for the assignment of work.*”

SWCA has prepared numerous environmental documents for the County over the past 20 years. Specifically, SWCA prepared the 2008 EIR for the previous Oak Shores wastewater project which was certified by the Board of Supervisors in 2008. SWCA is proposing to use much of the same staff that was involved with that project, including the project manager.

County staff has worked closely with SWCA to refine the scope of work and cost. Based on our experience, the cost is commensurate with the scope of work proposed. Further, the applicant and their agent has reviewed SWCA’s proposal, agrees that SWCA has the necessary experience to complete the SEIR, that the scope of work is appropriate, and the cost satisfactory.

OTHER AGENCY INVOLVEMENT/IMPACT

During preparation of the SEIR, the County will notify applicable agencies and request their input on the content of the SEIR and the Draft SEIR. The Regional Water Quality Control Board (RWQCB) is considered a “responsible agency” under the California Environmental Quality Act (CEQA) as they have permitting authority over wastewater discharge.

FINANCIAL CONSIDERATIONS

The property owner is required to pay for all costs related to the preparation of the Supplemental Environmental Impact Report (SEIR), including County staff time to manage the preparation of the SEIR. The County has collected a deposit of \$30,000 from the property owner to cover staff costs incurred, in the case of default of payment.

A budget adjustment is being requested in the amount of \$143,224, sourced from revenue collected from the property owner, to fund the Professional Services contract. Any unused portion of the \$143,224, will be returned to the property owner.

The property owner has agreed to pay full costs of the SEIR vendor contract, and Public Works Accounting will provide the property owner a monthly statement as costs are incurred. There is no impact to the General Fund.

RESULTS

Approval of the recommended actions will allow the County to retain SWCA to prepare the SEIR for the proposed project. If the Board then certifies the SEIR, it is expected that County Service Area 7A will be able to provide a conditional will-serve commitment for Phases II through VI, potentially allowing the final maps to be recorded. Continuing these efforts will contribute to the County's goals of maintaining a safe, healthy and livable community.

ATTACHMENTS

1. Vicinity Map
2. Agreement for Professional Services

c: Keith Miller, Environmental Resource Specialist

File: Oak Shores WWTP Upgrade 201R11D598

Reference: 16JAN26-C-5

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